

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name;

I believe I am one of the original, first and joint inventors (namely, James R. Braig, a United States citizen having a residence and mailing address at 280 Mountain Avenue, Piedmont, California 94611, Peter Rule, a United States citizen having a residence and mailing address at 24183 Hillview Road, Los Altos Hills, California 94024, Kenneth G. Witte, a United States citizen having a residence and mailing address at 1547 Petersen Avenue, San Jose, California 95129, Philip C. Hartstein, a United States citizen having a residence and mailing address at 171 Bryant St., Apt. G, Palo Alto, California 94301, and Bernhard B. Sterling, a United States citizen having a residence and mailing address at 882 El Pintado Road, Danville, California 94086) of the subject matter which is claimed and for which a patent is sought on the invention entitled DUAL MEASUREMENT ANALYTE DETECTION SYSTEM; the specification of which was filed on **April 15, 2004** as Application Serial No. **10/826,006**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/463,130

Filing Date: April 15, 2003

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **James R. Braig**

Inventor's signature _____

Date _____

10-18-04
97

Residence: **280 Mountain Avenue, Piedmont, California 94611**

Citizenship: **US**

Mailing Address: **Same**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Alameda

} SS.

On October 19, 2004

(DATE)

before me, Jennifer Villavert Le

(NOTARY)

personally appeared

James R. Braig

SIGNER(S)

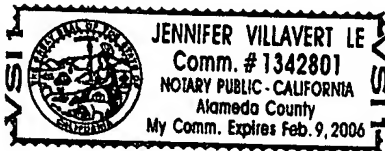


personally known to me

- OR -



proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Jennifer Villavert Le
NOTARY'S SIGNATURE

OPTIONAL INFORMATION

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CAPACITY CLAIMED BY SIGNER (PRINCIPAL)



INDIVIDUAL



CORPORATE OFFICER

CTO

TITLE(S)



PARTNER(S)



ATTORNEY-IN-FACT



TRUSTEE(S)



GUARDIAN/CONSERVATOR



OTHER:

DESCRIPTION OF ATTACHED DOCUMENT

Declaration
Declaration - USA Patent Applicable

TITLE OR TYPE OF DOCUMENT

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NUMBER OF PAGES

April 15, 2006

DATE OF DOCUMENT

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SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

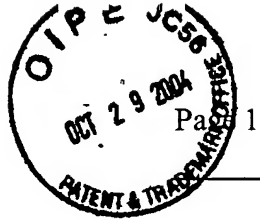
OPTISCAN BIOMEDICAL CORP.

RIGHT THUMBPRINT

OF

SIGNER

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Full name of second inventor: **Peter Rule**

Inventor's signature _____

Date _____

Oct. 19, 2004

Residence: **24183 Hillview Road, Los Altos Hills, California 94024**

Citizenship: **US**

Mailing Address: **Same**

Michael Jambach
subscribing witness
10/19/04

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

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Full name of third inventor: **Kenneth G. Witte**

Inventor's signature

Date October 19, 2004

Residence: **1547 Petersen Avenue, San Jose, California 95129**

Citizenship: **US**

Mailing Address: **Same**

Send Correspondence To:

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Customer No. 20,995

ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Alameda

} SS.

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(DATE)

before me, Jennifer Villavert Le

(NOTARY)

personally appeared

Kenneth G. Witte

SIGNER(S)

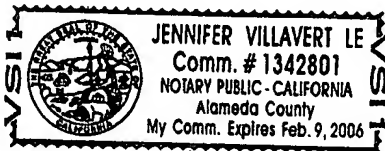


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WITNESS my hand and official seal.

Jennifer Villavert Le
NOTARY'S SIGNATURE

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- ☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

- ☒ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

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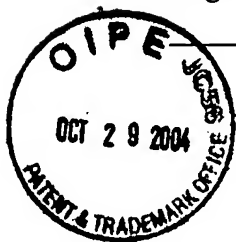
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Full name of third inventor: **Philip C. Hartstein**

Inventor's signature

Date

Philip C. Hartstein
Oct. 19, 2004

Residence: **171 Bryant St., Apt. G, Palo Alto, California 94301**

Citizenship: **US**

Mailing Address: **Same**

Nichole Joubach
subscribing witness
10/19/04

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

SUBSCRIBING WITNESS JURAT

State of California

County of

Alameda

} SS.

On October 19, 2004

DATE

appeared

Michelle Loubach

SUBSCRIBING WITNESS'S NAME

me on the oath of

CREDIBLE WITNESS'S NAME

be the person whose name is subscribed to the within instrument, as a witness there to, who, being by me duly sworn, deposed and said that ~~he~~she was present and

saw Peter Rule & Philip C. Hartstein the

NAME(S) OF PRINCIPAL(S)

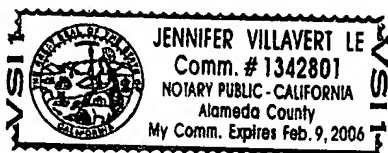
same person(s) described in and whose name(s) ~~is~~are subscribed to the within and annexed instrument in ~~his/her~~their authorized capacity(ies) as (a) party(ies) thereto, execute the same, and that said affiant subscribed ~~his/her~~name to the within instrument as a witness at the request of

Peter Rule

NAME(S) OF PRINCIPAL(S)

WITNESS my hand and official seal.

Jennifer Villavert Le
NOTARY'S SIGNATURE



OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

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TITLE(S)

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☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☒ SUBSCRIBING WITNESS

☐ OTHER: _____

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Full name of fifth inventor: **Bernhard B. Sterling**

Inventor's signature Bernhard B. Sterling

Date October 19, 2004

Residence: **882 El Pintado, Danville, California 94086**

Citizenship: **US**

Mailing Address: **Same**

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Alameda

} SS.

On October 19, 2004

(DATE)

before me, Jennifer Villavert Le

(NOTARY)

personally appeared Bernhard B. Sterling

(SIGNER(S))

☒ personally known to me - OR -

☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



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Jennifer Villavert Le
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